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MURPHY SULLIVAN KRONK

CLARKE DEMAS & BAKER, PLLC

Attorneys at Law

C. KIRK CLARKE
ELIZABETH M. DEMAS
BRUCE D. BAKER

PHONE: 802-652-1400

FAX: 802-652-1405

346 SHELBURNE ROAD, SUITE 203

POST OFFICE BOX 4484

BURLINGTON, VT 05406-4484

Of Counsel: PETER L. POTTS

MOLLY BUCCI

November 3, 2015

Christine Brock, Clerk
Superior Court Chittenden Unit
PO Box 187
Burlington, Vermont 05401

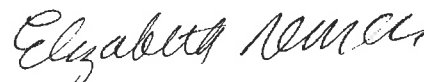
Re: *Brianne E. Chase, Trustee of the Revocable Living Trust of Barbara S. Eastman*
Docket No. **333-4-15 Cncv**

Dear Christine:

I am enclosing our Certificate of Service stating that a discovery request was served on the Defendant today.

Thank you for your assistance. Please give me a call if you have any questions or concerns regarding this matter.

Sincerely,



Elizabeth M. Demas, Esq.
Clarke Demas & Baker, PLLC
346 Shelburne Road, Suite 203
Burlington, Vermont 05401
(802) 652-1400
edemas@cdbesq.com

cc: Hans Huessy, Esq. 
encs

STATE OF VERMONT

SUPERIOR COURT
Chittenden Unit

CIVIL DIVISION
Docket No. 333-4-15 Cncv

Brianne E. Chase, Trustee of the Revocable Living
Trust of Barbara S. Eastman
Plaintiff

v.

Town of Underhill
Defendant

CERTIFICATE OF SERVICE

I, Elizabeth M. Demas, attorney for Plaintiff in the above-entitled matter, hereby certify that I served a copy of Plaintiff's First Set of Discovery Requests to Defendant, to Hans G. Huessy, Esq. and Liam L. Murphy at P.O. Box 4485, Burlington, VT 05406-4485, as Attorneys for Defendant Town of Underhill.

Dated at Burlington, Vermont, this 3rd day of November, 2015.

By:



Elizabeth M. Demas, Esq.
Clarke Demas & Baker PLLC
346 Shelburne Road, Suite 602
Burlington, Vermont 05401

CLARKE DEMAS
& BAKER

ATTORNEYS AT LAW

46 SHELburne RD., 2ND FLOOR

P. O. BOX 4484

BURLINGTON, VT 05406-4484

TELEPHONE (802) 652-1400

FAX (802) 652-1405

STATE OF VERMONT

SUPERIOR COURT
CHITTENDEN UNIT

CIVIL DIVISION
DOCKET NO. 333-4-15 Cncv

Brianne E. Chase, Trustee of the Revocable Living)
Trust of Barbara S. Eastman,)
)
Plaintiff)
)
v.)
)
Town of Underhill,)
)
Defendant)

PLAINTIFF'S FIRST SET OF DISCOVERY REQUESTS TO DEFENDANT

NOW COMES Plaintiff, Brianne E. Chase, Trustee of the Revocable Living Trust of Barbara S. Eastman, (the "Eastman Trust") and hereby requests that Defendant answer the following Interrogatories under oath and produce the requested documents and serve a copy of their answers and responses within thirty (30) days. All answers and responses shall be made in accordance with V.R.C.P. 26, 33, and 34, and the following Definitions and Instructions.

Each document submitted in compliance with these Interrogatories or Requests for Production shall be consecutively numbered and shall clearly identify the question or sub-question to which the document is responsive. Copies of all documents shall be legible in their entirety.

**PLAINTIFF'S FIRST SET OF INTERROGATORIES AND REQUESTS TO
PRODUCE TO DEFENDANT**

NOW COMES Plaintiff, by and through its attorneys, Elizabeth M. Demas, Esq., of Clarke Demas & Baker, and, pursuant to the Vermont Rules of Civil Procedure, hereby submit the following First Set of Interrogatories and Requests to Produce Directed to Defendant Town of Underhill, to be

CLARKE DEMAS
& BAKER

ATTORNEYS AT LAW

346 SHELburne RD., 2ND FLOOR

P.O. BOX 4484

BURLINGTON, VT 05406-4484

TELEPHONE (802) 652-1400

FAX (802) 652-1405

responded to separately and fully, in writing and under oath, bearing in mind the following Definitions and Instructions:

Definitions and Instructions

For the purpose of these Interrogatories and Requests to Produce the following terms have the meaning set forth below, in addition to their ordinary meanings:

(1) "Document" includes all typed, written, printed or recorded material whatsoever, including, but not limited to notes, transcriptions of notes, memoranda, letters, email, mailgrams, telegrams, publications, agreements, photographs, blueprints, negatives, surveys, schematics, tape recordings, transcriptions or recordings, video-recordings, log books, business records, and material contained in or on any type of magnetic or electronic recording or storage or storage material including but not limited to, microfilm, microfiche, magnetic cards, electronic memories, computer tapes and disks. Also included in the term "document" is any copy of a document which for any reason whatsoever, such as the presence of handwritten or transcribed notes, is not in every respect identical to every other copy.

(2) To "identify" a person means to state the person's name, current or last known address, telephone number and current employment.

(3) To "identify" or "produce" a document or documents means to make the document available for inspection and copying, or provide a legible copy thereof, or in lieu thereof, to state the basis for withholding production together with a description of the nature of the document, i.e. memorandum letter, telex, computer print-out, etc., the date of the document, the authors and recipients, the name and address of the present custodian, as well as other information necessary to frame a Request to Produce in such a way as to enable a party to seek production of the document.

(4) "Describe" means a comprehensive, full, fair, frank, complete, accurate and detailed description of the matter that is the subject of the inquiry.

(5) "You" and "Your" means Defendant Town of Underhill, and includes its agents, elected officials, employees, or other representatives.

(6) The "Town" shall mean the Town of Underhill Vermont.

(7) The "Property" shall mean the land owned, controlled, or held in trust by Plaintiff in the Town of Westford.

(8) The "Repa Road" shall mean Town Highway # 21 in the Town of Underhill.

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& BAKER

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(9) The "Repa Trail" shall mean that trail which lies at the westerly end of Repa Road, and is the portion of Repa Road which is now designated as a trail.

(10) The "Goodrich Road" shall mean the former Town Highway # 24 in the Town of Westford which connects at the Underhill/Westford town line with the westerly end of the Repa Trail.

(11) THESE DISCOVERY REQUESTS SEEK RESPONSES AS OF THE DATE OF THE EXECUTION OF SAME, BUT SHALL BE DEEMED TO BE CONTINUING SO THAT ANY ADDITIONAL INFORMATION RELATING IN ANY WAY TO THESE DISCOVERY REQUESTS WHICH YOU ACQUIRE, OR WHICH BECOMES KNOWN TO YOU, UP TO AND INCLUDING THE TIME OF TRIAL, SHALL BE FURNISHED REASONABLY PROMPTLY AFTER SUCH INFORMATION IS ACQUIRED OR BECOMES KNOWN.

INTERROGATORIES AND REQUESTS TO PRODUCE

1. Please identify each person and each document consulted in the preparation of Your responses to these Interrogatories and Requests to Produce, and state specifically, for each such person and/or document, with respect to which of the Interrogatories and/or Requests to Produce said person and/or document was consulted.

2. Please identify each person whom You expect to call as an expert witness at trial in this matter and for each expert:

- a) State the subject matter on which each such expert is expected to testify.
- b) State the substance of the facts and opinions to which each such expert is expected to testify.
- c) Summarize the grounds for each such expert's opinion(s).
- d) Produce copies of all such expert's reports, surveys, work papers reflecting such expert's work on this matter, and reference materials utilized by each such expert in developing

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his or her testimony.

3. Please provide a copy of the Road Policy and Trail Policy in effect at the time this suit was brought.

4. Please provide copies of all responses you have given during the past five (5) years to requests for licenses to use Town Roads or Trails, and copies of all stipulations, agreements and licenses the Town of Underhill issued or signed in regard to such requests.

5. Please provide information concerning lawsuits involving the Town of Underhill, regarding use, responsibility for maintenance of, improvement of, reclassification of, or termination of, Town roads or trails. Please include in your response:

a) Court, Docket Number, identification of attorneys and parties, and whether the case went to trial or was resolved before trial.

b) Copies of all settlement agreements and stipulations you entered into with applicants for license agreements.

c) Copies of all orders or decrees issued by any court arising from such litigation.

6. Please provide copies of all selectboard meeting minutes, and road commission minutes from August 1, 2014 to the present.

7. Please produce copies of all correspondence between the Town of Underhill, and the Town of Westford, including its agents, elected officials, employees, or other representatives concerning Repa Road, Repa Trail, and/or Goodrich Road, dated within the past five (5) years.

AS STATED ABOVE, THESE DISCOVERY REQUESTS SEEK RESPONSES AS OF THE DATE OF THE EXECUTION OF SAME, BUT SHALL BE DEEMED TO BE CONTINUING SO THAT ANY ADDITIONAL INFORMATION RELATING IN ANY WAY TO THESE DISCOVERY REQUESTS WHICH YOU ACQUIRE, OR WHICH BECOMES KNOWN TO YOU,

UP TO AND INCLUDING THE TIME OF TRIAL, SHALL BE FURNISHED REASONABLY
PROMPTLY AFTER SUCH INFORMATION IS ACQUIRED OR BECOMES KNOWN.

DATED at Burlington, Vermont this 3rd day of November 2015.

Trustee of the Eastman Trust

By:



Elizabeth M. Demas, Esq.

Attorney for Defendants

Clarke Demas & Baker, PLLC

346 Shelburne Road, Suite 602

Burlington, Vermont 05401

cc: Hans Huessey, Esq.

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& BAKER

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